



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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Final Forms and Data Dictionary Regulations Filed

Cal/EPA and the SWRCB concurrently filed with the Office of Administrative Law on November 1st the final regulations modifying the UP Consolidated Forms, the Annual Summary Report Forms 3 and 4, the now Semi-annual Summary Report Form 6, and the Data Dictionary in support of the changes. These new regulations will become legally operational about January 1st. The Cal/EPA Unified Program will be posting the new regulations on the Cal/EPA Unified Program web site and will be reviewing the regulations during the 2008 Annual CUPA Training Conference.

Contact: Loretta Sylve, lsylve@calepa.ca.gov

AB 1130 (ASTs to CUPAs) Signed Into Law

AB1130 (Laird) was signed by the Governor and becomes law on January 1st. This bill delegates the implementation and day-to-day oversight of the Aboveground Petroleum Storage Tank program to CUPAs. It also uses the funds in the SWRCB's Environmental Protection Trust Fund to provide funding for the required training of CUPA inspectors and start up funding to CUPAs. Cal/EPA is working with the CUPAs and the SWRCB to coordinate the implementation of this new CUPA requirement, including the development of program and inspector training requirements, the delivery of training courses statewide in the summer and fall of 2008, the establishment of implementation plans and providing program start up funding to CUPAs.

Contact: John Paine, jpaine@calepa.ca.gov

New Inspection and Enforcement Resource Web Site

The Cal/EPA Unified program has put up a new Inspection and Enforcement Resources web tool on the Unified Program web site, <http://www.calepa.ca.gov/CUPA>. This new web tool includes a large number of inspections and enforcement related resources and examples that are gathered into a convenient web based user tool. The site will be used as an active part of the 2008 CUPA Training Conference to instruct on the revised and updated Inspection and Enforcement Guidance.

Contact: JoAnn Jaschke, jjaschke@calepa.ca.gov

State Water Resources Control Board

November 2007 State Water Board UST Program Updates for UST Technical Advisory Group Meetings

New ELD Method for Post-Installation Testing of New UST Systems

LG-113 was updated on October 12, 2007, to include the CGRS iota test method. The Iota method has been third-party certified to detect liquid and vapor releases of 0.005 gph from the primary containment of double-walled UST system components. Accordingly, it can be used to meet the enhanced leak detection (ELD) requirement for post-installation testing of new UST systems. On October 12, 2007, LG 162 was revised to include the CGRS Iota method as an allowable post-installation test. Please note that Iota cannot test single-walled components, and is not allowable for ELD testing at operating UST systems within 1000 feet of a drinking water well.

UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873).

CUPA Quarterly Reporting (Report 6)

For the January – March 2007 quarter, 100 CUPAs and PAs (99% of the 101 CUPAs/PAs) submitted quarterly reports (Report 6, Title 27 regulations). UST inspections for Significant Operational Compliance (SOC) totaled 3,576, compared to the previous quarters 3,345 inspections. Local agencies reported that 75% of inspected facilities were in SOC with release detection requirements, 79% were in SOC with release prevention requirements, and 70% were in SOC with both release detection and release prevention requirements. CUPAs issued 13 Red Tags during this quarter.

As of March 30, 2007, there were 15,547 UST facilities; 36,832 active and 124,740 closed petroleum USTs; and 2,950 active and 20,514 closed hazardous substance USTs. At the end of the January – March 2007 quarter, the following UST or facility numbers were reported: 732 fewer petroleum USTs, 204 fewer hazardous substance USTs, and 234 fewer UST facilities.

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov; 916-341-5385).

Red Tag Quarterly Reporting

For the January – March 2007 quarter, 6 CUPAs issued 13 Red Tags [Fresno (6), Kern (1), Kings (3), Modoc (1), Santa Cruz (1), and Tehama (1)]. The specific violations cited were as follows: 11 violations for conditions at the UST facility threaten to cause a liquid release (Ch. 16, Sec. 2637) 1 violation for conditions at the UST facility impair the ability to detect a leak [Ch. 16, Sec. 2636(f)(2)] 1 violation for unspecific conditions.

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov; 916-341-5385).

Status of Proposed UST Rulemaking

The State Water Resources Control Board adopted the Title 23 rulemaking package at the October 2, 2007 Board meeting. We are preparing the final rulemaking package for submittal to the Office of Administrative Law for approval. We will coordinate this submittal with Cal/EPA, so that both the Title 23 and Title 27 proposed revisions are submitted to OAL at the same time.

The web link for the Title 23 rulemaking package is:

http://www.waterboards.ca.gov/ust/regulatory/rulemaking/regs_proposed.html

The web link for the Title 27 rulemaking package is:

<http://www.calepa.ca.gov/LawsRegs/ProposedRegs/UPCF/Default.htm>

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645).

UST Cleanup Training

The SWRCB sponsors training for local and state inspectors who oversee investigation and remediation at UST leak sites. The following courses will be offered through UC Riverside Extension during the fall and winter of 2007-08:

UC Irvine Learning Center in Orange
Subsurface Modeling: Feb. 26
Risk Assessment: Feb. 27-28

UCR Palm Desert Campus
Subsurface Modeling: March 25
Risk Assessment: March 26-27

Please visit <http://www.extension.ucr.edu/sciences/ust/> to register for these classes on the UC Riverside website.

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645).